

November 4, 2019

VIA E-MAIL

Honorable Ally Medina, Mayor
and Members of the Emeryville City Council
1333 Park Avenue
Emeryville, CA 94608

Re: Marketplace Redevelopment Project, Parcel B: Request for Continuance (November 5, 2019 City Council Agenda, Item No. 11.1)

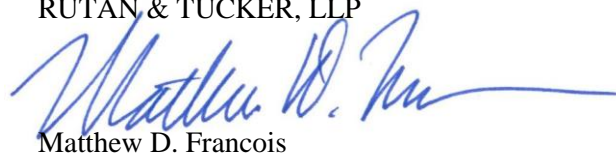
Dear Mayor Medina and Members of the City Council:

On behalf of Wareham Development (“Wareham”), we write to formally request a continuance of the November 5, 2019 City Council hearing on Wareham’s appeal (the “Appeal”) of the Final Development Plan for Parcel B (the “FDP”) proposed by AG-CCRP Public Market, L.P. (“Applicant”). The reason for the requested continuance is that on November 1, 2019, the Applicant submitted a Proposed Alternative dated October 31, 2019, which differs from the FDP that is the subject of the Appeal. It is not clear whether the Applicant now is proposing to abandon the FDP that was the basis for the Appeal and, if so, what process would be followed by the City to consider the Proposed Alternative. We also noticed that the Applicant submitted a new Wind Study, which was posted on the City’s website on the afternoon of November 1st with no advance notice to Wareham or the public. Because the Proposed Alternative and Wind Study were submitted mere days before the hearing, neither the public, the Council, Staff, nor Wareham have had an opportunity to adequately review or comment on them.

Thank you for your consideration of Wareham’s request. Please do not hesitate to contact me, Rich Robbins, or Geoff Sears with any questions regarding the correspondence.

Very truly yours,

RUTAN & TUCKER, LLP



Matthew D. Francois

cc: Charlie Bryant
Christine Daniel
Michael Guina
Sheri Hartz
Andrea Visveshwara
Rich Robbins, *via email only*
Geoff Sears, *via email only*
John Gooding, *via email only*